

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MARIA DEL ROSARIO ATILANO LOPEZ
and as Next Friend of JETHSANNI
ESMERALDA TORRES ATILANO,
MARY CRUZ TORRES ATILANO,
RUBEN TORRES ATILANO, and
OMAR TORRES ATILANO,
Minor Children,

Plaintiffs,

v.

CIV-06-657 DJS/WDS

ROSANNA ALMAGUER, AND
ANDRES SOTO, JR., ANDRES SOTO, SR.
AND ROSA E. SOTO,

Defendants.

ORDER ADOPTING FINDINGS AND RECOMMENDATION


THIS MATTER came before the Court on a hearing for approval of the terms of a settlement which resolves the claims of all plaintiffs, including the minors. Pursuant to 28 U.S.C. § 636(c) and FED. R. CIV. P. 73(b), the parties have consented to have me serve as the presiding judge and enter final judgment. I referred this matter to the Honorable Karen B. Molzen (*Doc. 99*) to conduct a fairness hearing which was held on August 1, 2008, and her findings and recommendations were filed August 4, 2008 (*Doc. 34*) and supplemented as to the recommended reimbursement for the fees of the *guardian ad litem* (*Doc. 35*). Because all counsel stated that they have no objection to Judge Molzen's recommended disposition, and in order to expedite the approval of this settlement, counsel have waived the ten-day period for the filing of

objections. *Id.* at 4.

Having performed a *de novo* review of the recommended disposition and report of the *guardian ad litem*, I agree with Judge Molzen that the settlement is fair and reasonable under the circumstances and that acceptance of the settlement is in the minor plaintiffs' best interests.

Wherefore,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the recommended disposition is adopted, the settlement is approved, the proposed final judgment will be entered, and the claims against all Defendants are dismissed with prejudice.

A handwritten signature in black ink, appearing to read "Amy J. Burt", is written over a horizontal line.

UNITED STATES MAGISTRATE JUDGE
Presiding by Consent